

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CRIMINAL JURISDICTION
CRIMINAL WRIT PETITION NO. 1903 OF 2005

Mrs. Maria Rosa D'Souza. Petitioner
Versus
The State of Maharashtra
and others. Respondents

Shri. K. Shaikh, i/b Smt. Anamika Malhotra, for the
Petitioner.

Shri. S. S. Tatkar, A. P. P., for the Respondent-State.

Shri. Anand Patwardhan, i/b Shri. A. & A. Law, for
Respondent No. 2.

CORAM : S. B. MHASE AND
S. R. SATHE, JJ.
DATE : OCTOBER 17, 2005

P. C.

1. Heard Shri. Gerves Pereira, who is produced before the Court by Respondent No. 2 in view of the warrant issued by us. We have questioned Shri. Gerves Pereira whether he is confined, and he stated that he is not confined and that he is in "Ashray Mental Health Care Research Centre, New Panvel." He states that he wants to go to his clinic where he is being treated.

2. In view of the statement of the alleged detainee, it is found that the case made out by the applicant is absolutely unwarranted. There is no confinement and

the person is taking a medical treatment. No case for *habeas corpus* is made out.

3. The criminal writ petition is rejected and the rule is discharged.

(S. R. SATHE, J.)

(S. B. MHASE, J.)